UNITED STATES PATENT AND TRADEMARK OFFICE

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SAP / FINNEGAN, HENDERSON LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
SHIU, HO T

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 June 2010_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11,13,15-33,35 and 37-48_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11, 13, 15-33, 35, 37-48_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-11, 13, 15-33, 35 and 37-48 are pending in this application. Claims 12,

14, 34, 36, and 49 are cancelled. Claims 1, 23, and 45 are currently amended.

Claim Rejections - 35 USC § 112

2.   Claims 11 and 33 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

3.   With respect to claims 11 and 33, the limitation "upon change of data format, the

server requests the data object definition message from the client and the client

transmits the data object definition message upon request to the server" is being

recited. In the preceding independent claims 1 and 23, the data object definition has

already been provided to the server by the client in order to translate the data into a

data format requested by the client. Since the data object definition information was

previously sent to the server from the client, it is unclear why the server is asking for the

data object definition message again in which fails to particularly point out and distinctly

claim the subject matter and renders the claim indefinite. For examination purposes,

the claim will be read as the server checking to see if the client has any changes in the

change of data format. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-3, 6, 8, 10-11, 13, 15, 18, 20, 22, 23-25, 28, 30, 32-33, 35, 37, 40, 42,**

and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Yogeshwar et al. (US Pub # 2003/0206717, hereinafter Yog) in view of Mundra et

al. (US Pub # 2004/0032860, hereinafter Mundra) and in view of Goodwin et al, (US

Pub # 2002/0023261, hereinafter Goodwin).

6.   With respect to claims 1 and 23, Yog discloses a computer-implemented method

and a computer readable media embodying a program, performed by a server, for

automatically configuring a plurality of translation codes, each of the plurality of

translation codes being associated with one of the clients, ([0107]) the method

comprising: associating a first translation code with a specific client of the plurality of

clients, the first translation code used for data translation to a first data format require by

the specific client ([0052], choosing the encoder); translating, using the first translation

code, data within the server into the first data format ([0025], [0035], [0048], [0073], IAF,

descriptive info and/or encoding parameters from user); transmitting the translated data

to the specific client ([0035]); receiving information related to the second data format

from the specific client in a data object definition message ([0117], [0118], [0145]); and

automatically adapting a second translation code for data translation to the second data

format and replacing the fist translation code with the second translation code to be

associated with the specific client ([0117], [0118], [0145]). Although, Yog discloses

automatically detecting a change in the data format requested by the client, Yog does

not clearly disclose detecting a during an exchange of information with the specific

client, the change indicating that the specific client requires a second data format

different from the first data format.

In the same field of endeavor, Mundra discloses detecting a during an exchange

of information with the specific client, the change indicating that the specific client

requires a second data format different from the first data format ([0011]). Yog and

Mundra are analogous art because they disclose users requesting different formats of

requested data/files.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Yog with detecting a during

an exchange of information with the specific client, the change indicating that the

specific client requires a second data format different from the first data format as

disclosed in Mundra in order to change the format of the requested data during

transmission. One of ordinary skill in the art would have been motivated to incorporate

the teachings with one another to establish a more efficient system by being able to

receive requested data based on network conditions, cost considerations, desired

quality, etc.

Although Yog discloses that there is a learning algorithm so it can adapt over

time to the needs of the user and applications and adapts the translation code to a

changed data format upon request, Yog and Mundra do not clearly disclose generating

a second translation code.

In the same field of endeavor, Goodwin discloses generating a second

translation code ([0063], [0101]). Yog, Mundra, and Goodwin are analogous art

because they disclose different types of translation codes.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Yog and Mundra with

generating a second translation code as disclosed in Goodwin in order to translate to

different data formats. One of ordinary skill in the art would have been motivated to

incorporate the teachings with one another in order to establish a more efficient system

by generating a translation code if the translation code does not exist.

7.   With respect to claim 45, Yog discloses a computer system for automatically

configuring a translation code, the system comprising: translating means for translating

data within a server into a data format required by a client based on the translation

code, the data having a data object definition ([0025], [0035], [0048], [0073], IAF,

descriptive info and/or encoding parameters from user); means for transmitting the

translated data from the server to the client and receiving the change of data format with

the data object definition message from the client by the server, the data object

definition message comprising information about the modified data object definition;

([0035], [0113], [0117], [0118]); a modifying means for modifying the data object

definition within the server based on the changed data format ([0113], [0117], [0118],

[0145], adapt based on feedback); receiving the changed data format from the client at

the server in a data object definition message comprising information about the modified

data object definition ([0117], [0118], [0145]). Although, Yog discloses automatically

detecting a change in the data format requested by the client, Yog does not clearly

disclose detecting means for automatically detecting a change in the data format

requested by the client during an exchange of data associated with the server between

the server and the client.

In the same field of endeavor, Mundra discloses detecting means for

automatically detecting a change in the data format requested by the client during an

exchange of data associated with the server between the server and the client ([0011]).

Yog and Mundra are analogous art because they disclose users requesting different

formats of requested data/files.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Yog with detecting means

for automatically detecting a change in the data format requested by the client during an

exchange of data associated with the server between the server and the client as

disclosed in Mundra in order to change the format of the requested data during

transmission. One of ordinary skill in the art would have been motivated to incorporate

the teachings with one another to establish a more efficient system by being able to receive requested data based on network conditions, cost considerations, desired quality, etc.

Although Yog discloses that there is a learning algorithm so it can adapt over time to the needs of the user and applications and adapts the translation code to a changed data format upon request, Yog and Mundra do not clearly disclose a code generator, associated with the server, that provides the translation code.

In the same field of endeavor, Goodwin discloses a code generator, associated with the server, that provides the translation code ([0063], [0101]). Yog, Mundra, and Goodwin are analogous art because they disclose different types of translation codes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog and Mundra with a code generator, associated with the server, that provides the translation code as disclosed in Goodwin in order to translate to different data formats. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another in order to establish a more efficient system by generating a translation code if the translation code does not exist.

8.   With respect to claims 2 and 24, Yog discloses wherein the data object definition message is automatically transmitted from the client to the server upon detecting the ([0145]).

9.   With respect to claim 11 and 33, Yog discloses upon automatically detecting the change, the server requests the data object definition message from the specific client ([0113]).

10.   With respect to claims 3, 15, 25, and 37, it is rejected for the same reasons as claim 1 and 23 above. Yog discloses wherein the second translation code is adapted upon receipt of the data object definition message ([0145]). In addition, Goodwin discloses the translation code is generated within a translation code generator ([0063]).

11.   With respect to claims 6, 18, 28, 40 and 46, Yog discloses wherein the data format required by the client is extracted and translated from the stored data by the translation code prior to sending the translated data from the server to the client ([0145]).

12.   With respect to 46, Yog discloses wherein the translating means extracts information required by the specific client from the data prior to sending the translated data to the specific client ([0145]).

13.   With respect to claims 8, 20, 30, 42 and 47, Yog discloses wherein the server provides a data object definition message format ([0073], [0122], [0130]).

14.   With respect to claims 10, 22, 32, and 44, Yog discloses comprising the step of

managing data formats of different clients via a version management procedure ([0031],

[0073]], [0116], [0145]).

15.   With respect to claims 13, and 35, Yog discloses wherein the change in the data

format is detected by version identification ([0073], [0145], archive has date/time, can

change the format in real-time).

16.   **Claims 4-5, 16-17, 26-27 and 38-39 are rejected under 35 U.S.C. 103(a) as**

being unpatentable over Yog in view of Mundra and in further view of Dutta et al.

(US Patent # 6,615,212 B1, hereinafter Dutta).

17.   With respect to claims 4, 16, 26, and 38, Yog and Mundra do not disclose

wherein the translated data is transmitted from the server to the client using a standard

object description language.

        In the same field of endeavor, Dutta discloses wherein the translated data is

transmitted from the server to the client using a standard object description language

(col. 5, lines 43-52). Yog, Mundra, and Dutta are analogous art because they disclose

users requesting different formats of requested data/files.

        Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Yog and Mundra with

wherein the translated data is transmitted from the server to the client using a standard

object description language as disclosed in Dutta in order to receive and send information. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another to establish a more efficient system by being able to send and receive files using a protocol that is well known in the art.

18.   With respect to claims 5, 17, 27, and 39, Yog and Mundra do not disclose wherein the data object definition message is transmitted from the client to the server using a standard object description language.

        In the same field of endeavor, Dutta discloses wherein the data object definition message is transmitted from the client to the server using a standard object description language (col. 5, lines 43-52). Yog, Mundra, and Dutta are analogous art because they disclose users requesting different formats of requested data/files.

        Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog and Mundra with wherein the data object definition message is transmitted from the client to the server using a standard object description language as disclosed in Dutta in order to receive and send information. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another to establish a more efficient system by being able to send and receive files using a protocol that is well known in the art.

19.   **Claims 7, 21, 29 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yog in view of Mundra and in further view of Tamboli et al. (US**

Pub # 2003/0014617, hereinafter Tamboli).

20.   With respect to claims 7, 21, 29 and 41, Yog and Mundra do not clearly disclose

wherein the translation code uses XSL for translating the data into said the data format

required by the client.

In the same field of endeavor, Tamboli discloses wherein the translation code

uses XSL for translating the data into said the data format required by the client

([0066]). Yog, Mundra, and Tamboli are analogous art because they disclose changing

the formats of data/files into a different format.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Yog and Mundra with

wherein the translation code uses XSL for translating the data into said the data format

required by the client as disclosed in Tamboli in order to translate XML documents.

One of ordinary skill in the art would have been motivated to incorporate the teachings

with one another in order to establish a more efficient system using XSL to translate

from one XML format into another XML format since XML is a well known standard.

21.   **Claims 9, 21, 31, 43, and 48 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Yog in view of Mundra and in further view of Lonnroth et al.

(US Patent # 6,826,597 B1, hereinafter Lon).

22.   With respect to claims 9, 21, 31, 43, and 48, Yog and Mundra do not clearly

disclose comprising the step of managing access to the server by the data object

definition messages via an authorization management procedure.

In the same field of endeavor, Lon discloses comprising the step of managing

access to the server by the data object definition messages via an authorization

management procedure (col. 5, lines 21-30). Yog, Mundra, and Lon are analogous art

because they disclose changing the formats of data/files into a different format.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the teachings of Yog and Mundra with

comprising the step of managing access to the server by the data object definition

messages via an authorization management procedure as disclosed in Lon in order to

perform security checks. One of ordinary skill in the art would have been motivated to

incorporate the teachings with one another in order to establish a more secure system

by determining whether the client issuing the request is authorized to issue the request.

Response to Arguments

23.   Applicant's arguments with respect to claims 1, 23, and 45 have been considered

but are moot in view of the new ground(s) of rejection.

24.   On page 18, applicant's argue that Yogeshwar and Mundra do not disclose "a

plurality of translations codes, each associated with one of a plurality of clients, and do

not disclose associating a first translation code with a specific client for data translation to a first data format, automatically detecting a change indicating that the specific client requires a second data format, automatically generating a second translation code for translation to the second data format, and replacing the first translation code with the second translation code to be associated with the specific client". The examiner respectfully disagrees.

In [0107], Yogeshwar discloses that there are decoder circuits that are designed to decode data which has been encoded according to a different encoding scheme. Yogeshwar goes on to disclose a decoder may be an MPEG decoder, JPEG decoder, and with other decoders supporting yet other encoding formats. In [0091], Yogeshwar discloses that the control module has an intelligent user interface which are used to choose the specific type of compression to be performed as part of the IAF encoding and parameters. In [0112], Yogeshwar discloses that to support multiple encoding formats, the IAF encoder includes a plurality of encoders. It is clear that Yogeshwar discloses a plurality of translations codes, each associated with one of a plurality of clients.

In [0052], Yogeshwar discloses that information used to make encoding format/quality decisions is obtained by querying the user in an interactive manner. As disclosed above, different formats require a different encoder. It is clear that Yogeshwar discloses associating a first translation code with a specific client for data translation to a first data format.

In [0145], Yogeshwar discloses that transcoder is used for accepting retrieved material in IAF format and transcoding digitally converting the bitstream format to any requested delivery or to an intelligently determined format based on information provided by a user or set by an automated process. This component is capable of changing archived material into any end-user format on demand and in real-time. Yogeshwar also discloses that the transcoder inputs IAF compressed data, decodes according to its format, processes the frames, then re-encodes into one or more output formats. Yogeshwar also discloses that there is also a learning algorithm in this component so it can adapt over time to the needs of the user and applications. It is clear that it is obvious Yogeshwar discloses that a user may require different formats. However, if applicant's representative cannot see as such, Mundra disclosed in [0011] that a user has the ability to change a codec at will during data transmission. It is clear that Yogeshwar and Mundra discloses automatically detecting a change indicating that the specific client requires a second data format.

In [0145], Yogeshwar discloses, as above, transcoder is used for accepting retrieved material in IAF format and transcoding digitally converting the bitstream format to any requested delivery or to an intelligently determined format based on information provided by a user or set by an automated process. This component is capable of changing archived material into any end-user format on demand and in real-time. Yogeshwar also discloses that the transcoder inputs IAF compressed data, decodes according to its format, processes the frames, then re-encodes into one or more output formats. Yogeshwar also discloses that there is also a learning algorithm in this

component so it can adapt over time to the needs of the user and applications. In [0112], Yogeshwar discloses that to support multiple encoding formats, the IAF encoder includes a plurality of encoders with each encoder corresponding to a different encoding format. An IAF encoder control modules determines, in conjunction with the AVARS control module which encoding scheme will be used for a given set of input data. With these passages, it is clear that Yogeshwar chooses the particular type of encoder to use based on the format that a user requires. If a user chooses a first format, a first encoder is used. If a user chooses a different second format, a different second encoder is used since each encoder is for a specific format. As Mundra discloses in [0011], the user has the ability to change codecs (encoder) at during transmission. Therefore it is clear that Yogeshwar and Mundra discloses automatically generating a second translation code for translation to the second data format, and replacing the first translation code with the second translation code to be associated with the specific client.

25.   On page 19, Applicant's representative argues that Yogeshwar does not translate data stored in a server format required by a client. The transcoder also does not associated with a plurality of translation codes with a plurality of clients and does not detect a change in the data format required by a specific client and accordingly generate an associated a new translation code for the specific client. The examiner respectfully disagrees.

It is clear in Yogeshwar's as explained above that there different formats required by a user. When the user discloses information in which allows the transcoder to make

a decision on what type of format is required, it chooses the particular type of encoder

for the particular client and then transcodes the data into the requested format. It is not

clear to the examiner how this is not related to translating data stored in a server to a

format required by a client.

As explained above, Yogeshwar clearly discloses a plurality of translation codes.

26.   Applicants argue that in Yogeshwar, one transcoder and not a plurality of

translation codes is utilized. The examiner respectfully disagrees.

While the examiner does contend that there is only one transcoder, for

arguments sake, one transcoder/encoder will be theoretically used. An encoder

that is able to utilize more than one encoding format as disclosed in [0112]. It is

also disclosed in that each encoder corresponds to a different encoding format.

It is not possible for one encoder that is able to encoder into multiple different

formats while each format has its own specific encoder to have only one encoder

(translation code).

27.   Applicant's arguments on page 20 are moot in view of new grounds of rejection.

Conclusion

28.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

29.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HO SHIU whose telephone number is (571)270-3810.

The examiner can normally be reached on Mon-Thur (8:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HTS   Ho Shiu
07/01/2010   Patent Examiner
                                                 GAU 2457

/ARIO ETIENNE/

Supervisory Patent Examiner, Art Unit 2457